

## REMARKS

This amendment is responsive to the Office Action mailed August 11, 2004. As indicated above, Claim 19 has been amended and Claim 24 has been cancelled. Claims 19-23 and 25-36 are pending in the application.

Applicant has carefully considered the rejection of Claims 19-21, 23, 25 and 27-36 under 35 U.S.C. § 103(a) and respectfully disagrees with applicability of *Camiade et al.* to the claimed invention. Nevertheless, to advance the prosecution of the present application, applicant has amended Claim 19 to incorporate the subject matter of Claim 24, which the Examiner has indicated as containing allowable subject matter. Applicant's amendment of Claim 19 is without prejudice to applicant's right to continue to seek patent protection for Claim 19 in its unamended form in a separate application. Amended Claim 19 should be allowed.

Claims 20-23 are also patentable for their dependence on allowable Claim 19 as well as the additional subject matter recited therein. The Office Action acknowledged that Claim 22 separately includes patentable subject matter. In view of the foregoing, Claims 20-23 should also be allowed.

In the Office Action, the Examiner addressed Claim 25 by addressing Claim 19. However, Claim 25 includes elements that are not recited in Claim 19. When considering all of the elements in Claim 25, applicant submits that the invention defined in Claim 25 is not taught or suggested by *Camiade*, and therefore should be allowed.

Claim 26 is patentable for its dependence on allowable Claim 25 as well as the additional subject matter recited therein. The Office Action acknowledged that Claim 26 separately includes allowable subject matter.

The Office Action rejected Claims 27-30 based on *Camiade*. However, the Office Action failed to provide an explanation for the rejection of these claims. As with Claim 25, Claim 27

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includes elements that are not in common with Claim 19. After carefully considering the disclosure of Camiade relative to the GPS receiver recited in Claims 27-30, it is evident that Camiade does not support a *prima facie* obviousness rejection of Claims 27-30. Claims 27-30 should be allowed.

The Office Action rejected Claims 31-36 while addressing only Claim 31. Applicant respectfully disagrees with the basis for the rejection. As acknowledged in the Office Action, Camiade fails to teach "a transistor biased to be simultaneously operable as a reflection amplifier for reflectively amplifying the input signal, and as a detector for detecting an amplified input signal to generate the demodulated signal." In fact, Camiade teaches away from a circuit construction in which a transistor is operated as set forth in Claims 31-36. Camiade specifically describes his modem as having a transistor that operates in either one of two states: (1) a vigil state wherein the transistor acts as a detector in the reception of a signal, or (2) an active state wherein the transistor acts as an amplifier for the transmission of a signal. See, *e.g.*, col. 2, lines 45-53 of Camiade. There is no teaching or suggestion in Camiade to be operable in a state between the vigil and active states. Indeed such operation would be contrary to Camiade's teachings. Without the benefit of the present application, one of ordinary skill in the art would not modify Camiade as suggested in the Office Action to achieve the present invention.

For at least the foregoing reasons, Claims 31-36 are allowable over Camiade.

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CONCLUSION

Applicant respectfully requests reconsideration of the application and allowance of Claims 19-23 and 25-36 as discussed above. Should the Examiner have any remaining questions or comments, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: February 11, 2005

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